



STATE OF UTAH
NATURAL RESOURCES
Water Rights

Norman H. Bangerter, Governor
Dee C. Hansen, Executive Director
Robert L. Morgan, State Engineer

Southwestern Area • 585 N. Main Street • P.O. Box 506 • Cedar City, UT 84720-0506 • 801-586-4231

July 20, 1989

~~Thorley Cattle Company
c/o Larry Thorley
509 South 225 West
Cedar City, UT 84720~~

Re: Water User Claim 81-871, Fish Pond Spring #1 & #2

Dear Mr. Thorley:

In review of the above numbered water user claim and following a field examination of said spring it has been determined that the diligence claim has been expanded beyond it's original intent. Diligence Claim 1554 describes livestock watering at a pond located in the NW4SE4 of Section 5, T39S, R10W SLM and is used supplementally with other sources within the area.

There is an existing pipeline that now conveys the water to other areas not defined under the water user claim and this constitutes an illegal transfer of a water right. Anytime a change is made to the point of diversion, place of use or nature of use it must be accomplished by an application for permanent change.

We would encourage you to review this subject claim and discontinue use of the transferred water and water right until proper authorization can be granted. If you have any questions concerning this matter please contact our office for further clarification.

Yours truly,

Gerald W. Stoker, P.E.
Area Engineer/Manager

cc: ~~See City Distribution Engineer~~
Theon Thorley
Bulloch Brothers Engineering, Inc.